

Message Text

PAGE 01 STATE 188447

64

ORIGIN EB-11

INFO OCT-01 EUR-25 ISO-00 TRSE-00 AGR-20 AID-20 CEA-02

CIAE-00 COME-00 FRB-02 INR-10 NSAE-00 RSC-01 CIEP-02

SPC-03 STR-08 LAB-06 SIL-01 OMB-01 L-03 /116 R

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P 212020Z SEP 73

FM SECSTATE WASHDC

TO USMISSION EC BRUSSELS PRIORITY

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E.O. 11652: N/A

TAGS: ETRD, EC, US

SUBJECT:EC CERTIFICATION REQUIREMENT

1. FOLLOWING ARE DRAFT GUIDELINES WHICH WILL BE PUBLISHED IN SEPTEMBER ISSUE OF BATF BULLETIN. MISSION IS REQUESTED TO PROVIDE COPY TO APPROPRIATE EC COMMISSION OFFICIALS AND ASK IF THEY PERCEIVE ANY PROBLEM RELATIVE TO IMPORTATION OF U.S. WINES CERTIFIED UNDER THIS BATF PROCEDURE. FYI-- IF FOR ANY REASON MODIFICATION IS NECESSARY IN ORDER TO MEET EC REQUIREMENTS, TRADE CAN BE INFORMED QUICKLY.--END FYI.

2. PART III-A

26 CFR 601.30L: IMPOSITION OF TAXES, QUALIFICATION REQUIREMENTS, AND REGULATIONS (ALSO 252.211, 252.212).

STILL, DRY, TABLE WINES EXPORTED TO MEMBER STATES OF THE EUROPEAN ECONOMIC COMMUNITY MUST BE COVERED BY AN EEC PRE-LIMITED OFFICIAL USE
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PAGE 02 STATE 188447

SCRIBED CERTIFICATION AND REPORT OF CHEMICAL ANALYSIS FORM UNDER REGULATIONS EFFECTIVE OCTOBER 1, 1973.

ATF PROC. 73-

SECTION 1: PURPOSE:

THE PURPOSE OF THIS PROCEDURE IS TO ESTABLISH GUIDELINES UNDER WHICH EXPORTERS MAY OBTAIN CERTIFICATION OF THE PRODUCTION AND ANALYSIS OF STILL, DRY, TABLE WINE DESTINED FOR EXPORT TO MEMBER STATES OF THE EUROPEAN ECONOMIC COMMUNITY (HEREINAFTER REFERRED TO AS THE EEC). THESE PROCEDURES APPLY TO ALL SUCH WINE RECEIVED IN THE EEC ON OR AFTER OCTOBER 1, 1973.

SECTION 2: BACKGROUND:

.01 IN APRIL 1970 AFTER PROTRACTED NEGOTIATIONS, THE EEC AGREED ON A COMMON AGRICULTURAL POLICY (HEREINAFTER REFERRED TO AS CAP) FOR MANY AGRICULTURAL PRODUCTS. IN REGARD TO WINE, THE CAP WAS PROMULGATED IN REGULATION 816/70. IT INVOLVES A PRICE AND INTERVENTION SYSTEM, A SYSTEM OF TRADE WITH THIRD COUNTRIES, RULES CONCERNING PRODUCTION AND PLANTING, AND RULES CONCERNING ENOLOGICAL PROCESSES AND CONDITIONS FOR RELEASE TO THE MARKET. WHEN FULLY IMPLEMENTED, REGULATION 816/70 WILL BRING INTO EXISTENCE A VITICULTURAL REGISTER, A PRODUCTION CONTROL AND VINE PLANTING SYSTEM, AND STRICT ENOLOGICAL CONTROLS. SUBSEQUENT REGULATIONS WERE ISSUED BY THE EEC SETTING FORTH ADDITIONAL CONDITIONS AND DETAILED RULES OF APPLICATION WITH WHICH TABLE WINES DESTINED FOR ENTRY INTO THE EEC WOULD HAVE TO COMPLY.

.02 IN ESSENCE, AS FAR AS U.S. WINES ARE CONCERNED, THESE NEW REGULATIONS MEAN THAT, EXCEPT FOR SWEET WINES AND SPARKLING WINES, U.S. WINES IMPORTED INTO THE EEC MAY BE RELEASED FOR DIRECT HUMAN CONSUMPTION ONLY IF A CERTIFICATE IS ISSUED BY AN AGENCY IN THE U.S., FURNISHING PROOF THAT:

(A) THE WINE COMPLIES WITH THE PROVISIONS GOVERNING THE PRODUCTION AND RELEASE OF WINE FOR DIRECT HUMAN CONSUMPTION; LIMITED OFFICIAL USE
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PAGE 03 STATE 188447

TION IN THIS COUNTRY;

(B) THE WINE HAS NOT BEEN SUBJECTED TO ENOLOGICAL PROCESSES WHICH ARE NOT ALLOWED UNDER EEC PROVISIONS RELATING TO THE PRODUCTION AND RELEASE OF COMPARABLE COMMUNITY WINES;

(C) THE WINE HAS BEEN PRODUCED IN CONFORMITY WITH THE ENOLOGICAL PRACTICES IN FORCE IN THE APPROPRIATE EEC WINE GROWING ZONE; AND

(D) THE WINE IN QUESTION IS ACCOMPANIED BY A REPORT OF CHEMICAL ANALYSIS PREPARED BY A LABORATORY CERTIFIED BY THE U.S. GOVERNMENT.

.03 UNDER THE TERMS OF THE EEC REGULATIONS, THE VARIOUS CERTIFICATIONS REFERRED TO IN SECTION 2.02 MUST BE INCLUDED IN A PROPERLY CERTIFIED EEC FORM V.I.1, REFERRED TO BY THE EEC AS A DOCUMENT FOR THE IMPORTATION OF WINES FOR DIRECT HUMAN CONSUMPTION.

SECTION 3: EEC REGULATIONS:

.01 THE EEC REGULATIONS, OR PORTIONS THEREOF, AND FORM V.I.1, WHICH APPLY TO THE EXPORT OF U.S. WINE TO MEMBER STATES ARE SHOWN IN ATTACHMENTS I, II, III, AND IV. (THE BUREAU WILL NOT UNDERTAKE THE TASK OF KEEPING THESE REGULATIONS CURRENT.) U.S. WINE PRODUCERS, EXPORTERS, AND OTHER INTERESTED PARTIES SHOULD CONTACT THE EUROPEAN COMMUNITY INFORMATION SERVICE AT 2100 M STREET, N.W., WASHINGTON, D.C. 20037 FOR ADDITIONAL COPIES OF THE EEC REGULATIONS OR FURTHER INFORMATION CONCERNING THE COMMUNITY AND SHOULD, WHEN ORDERING THE REGULATIONS, REFER TO THE FULL TITLE OF THE REGULATION, AS CITED BELOW:

(A) REGULATION (EEC) NO. 816/70 OF THE COUNCIL OF 28 APRIL 1970, (NO. L 99/1), WITH ANNEX I, II AND III. (SEE ATTACHMENT I.)

(B) REGULATION (EEC) NO. 1599/71 OF THE COUNCIL OF 20 JULY 1971, (NO. L 168/3). (SEE ATTACHMENT II.)

(C) REGULATION (EEC) NO. 1770/72 OF THE COMMISSION OF 3 AUGUST 1972, (NO. L 191/31). (SEE ATTACHMENT III.)

(D) FORM V.I.1, DOCUMENT FOR THE IMPORTATION OF WINES FOR DIRECT HUMAN CONSUMPTION. (SEE ATTACHMENT IV.)

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PAGE 04 STATE 188447

SECTION 4: OBTAINING FORMS V.I.1 FOR EXPORT OF WINE TO THE EEC:

.01 EXPORTERS WILL BE REQUIRED TO PROVIDE THEIR OWN SUPPLY OF FORMS V.I.1. A SAMPLE COPY OF THE FORM IS ATTACHED FOR THE USE OF COMMERCIAL PRINTERS. (SEE ATTACHMENT IV.)

.02 EEC REGULATION 1770/73, ART. 2, PARAGRAPH 3, ESTABLISHES THE FOLLOWING REQUIREMENTS FOR FORM V.I.1:

(A) THE SIZE OF THE FORM SHALL BE APPROXIMATELY 210 X 300 MM (8 1/2 X 11 INCHES).

(B) THE PAPER USED SHALL WEIGH NOT LESS THAN 40 GRAMS PER SQUARE METER, AND

(C) THE PAPER SHALL BE RED FOR THE ORIGINAL DOCUMENT AND WHITE FOR THE FOUR CARBON COPIES.

SECTION 5: PREPARING FORMS V.I.1:

.01 EXPORTERS DESIRING TO EXPORT STILL, DRY, TABLE WINES TO THE EEC WILL PREPARE PART A OF FORM V.I.1 IN AN ORIGINAL AND FOUR COPIES, COMPLETING ALL ITEMS EXCEPT: 1 THE UNDERSIGNED...; NAME AND ADDRESS OF THE OFFICIAL AGENCY; DONE AT...; ON...; SIGNATURE AND STAMP; AND THE SERIAL NO.

ENTRIES ON THE FORM WILL BE PRINTED LEGIBLY IN INK, OR TYPED. ALL ENTRIES WILL BE IN ENGLISH.

(A) NUMBER, NATURE, MARKS AND REFERENCE NO. OF THE CONSIGNMENT: ENTER IN THE FIRST BOX INFORMATION SUFFICIENT TO IDENTIFY THE LOT OF WINE BEING EXPORTED. EXAMPLES MIGHT INCLUDE THE BILL OF LADING NUMBER, INVOICE NUMBER, OR ANY OTHER DESCRIPTION OF THE SHIPMENT WHICH WILL IDENTIFY IT TO THE PROPER AUTHORITIES.

(B) DESCRIPTION AND COLOUR OF THE WINE: IN THE SECOND BOX ENTER THE VARIETAL, GENERIC, SEMI-GENERIC, OR NON-GENERIC DESIGNATION OF THE WINE BEING EXPORTED. ALSO, ENTER THE COLOR OF THE WINE. WHERE ROSE WINE IS BEING SHIPPED, IT MUST BE DESCRIBED AS "RED". WHERE THE FORM COVERS A MIXED SHIPMENT OF RED (ROSE) WINE AND WHITE LIMITED OFFICIAL USE LIMITED OFFICIAL USE

PAGE 05 STATE 188447

WINE, THE QUANTITIES OF EACH MUST BE ENTERED.

(C) NUMBER OF BOTTLES: IN THE THIRD BOX, ENTER THE NUMBER OF BOTTLES FOR EACH COLOR OF WINE BEING SHIPPED.

(D) VOLUME: ENTER THE VOLUME OF WINE REPRESENTED AS BEING SHIPPED BY THE FORM. ENTER THE AMOUNT IN HECTOLITERS OR LITERS AND IN FIGURES. ONE U.S. GALLON IS EQUIVALENT TO 3.785 LITERS.

(E) CONSIGNED BY: (SEE FOOTNOTE ON FORM V.I.1).

(F) TO: (SEE FOOTNOTE ON FORM V.I.1).

(G) COMPLIES WITH THE PROVISIONS: (SEE FOOTNOTE ON FORM V.I.1).

(H) HAS BEEN PRODUCED...WINE GROWING ZONE: ENTER THE DESIGNATION WHICH HAS BEEN SELECTED BY THE WINE PRODUCER FOR THE WINE BEING EXPORTED.

(I) OR THE WINE GROWING ZONES...AND...IN THE CASE OF BLENDED WINES: ENTER THE DESIGNATION WHICH HAS BEEN SELECTED BY THE WINE PRODUCERS IF WINES FROM DIFFERENT ZONES ARE BLENDED BEFORE EXPORT TO THE EEC.

SECTION 6: ESTABLISHMENT OF ZONE BY WINE PRODUCER:

.01 EACH U.S. WINE PRODUCER INTENDING TO EXPORT WINE TO THE EEC MUST DESIGNATE HIS WINE WITH A ZONE OF COMPARABILITY USING INFORMATION GIVEN IN REGULATION (EEC) NO. 816/70 OF THE COUNCIL OF 28 APRIL 1970 (NO. L 99/1), ARTICLES 18.1, 19, 19.4, 19.6 AND 20 AND ANNEX III.

.02 THE WINE PRODUCER MUST ENTER THE ZONE INFORMATION

ON COMMERCIAL DOCUMENTS FOR THE USE OF THE EXPORTER IN
COMPLETING FORM V.I.1.

SECTION 7: ACTION BY EXPORTER:

.01 COMPLETE THE DESCRIPTION PORTION OF PART A, FORM

V.I.1, AS DESCRIBED IN SECTION 4 FOR EACH TYPE OF WINE
REPRESENTED IN THE SHIPMENT DESTINED FOR EXPORT.

.02 ATTACH A SWORN STATEMENT, ON THE EXPORTER'S LETTER-
HEAD, TO THE FORMS V.I.1 CERTIFYING THAT:

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PAGE 06 STATE 188447

(A) THE WINE COMPRISING THIS SHIPMENT HAS NOT BEEN
SUBJECTED TO ENOLOGICAL PROCESSES WHICH ARE NOT ADMITTED
UNDER COMMUNITY PROVISIONS RELATING TO THE PRODUCTION AND
RELEASE FOR DIRECT HUMAN CONSUMPTION OF COMPARABLE COMMUN-
ITY WINES, AND
(B) HAS BEEN PRODUCED ACCORDING TO ENOLOGICAL PROCESSES
IN FORCE IN THE COMMUNITY FOR THE WINE GROWING ZONE:...OR
THE WINE GROWING ZONES:...A

<< END OF DOCUMENT >>

Message Attributes

Automatic Decaptioning: X
Capture Date: 10 MAY 1999
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 21 SEP 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: garlanwa
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973STATE188447
Document Source: ADS
Document Unique ID: 00
Drafter: EB/OT/STA:RWINSTANLEY:CLJ
Enclosure: n/a
Executive Order: N/A
Errors: n/a
Film Number: n/a
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730963/abqceiqp.tel
Line Count: 242
Locator: TEXT ON-LINE
Office: ORIGIN EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: garlanwa
Review Comment: n/a
Review Content Flags: ANOMALY
Review Date: 06 SEP 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <06-Sep-2001 by elyme>; APPROVED <05-Nov-2001 by garlanwa>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: EC CERTIFICATION REQUIREMENT
TAGS: ETRD, EC, US
To: EC BRUSSELS
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005